

MARSH

law firm pllc

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Submitted by CM-ECF

Honorable Yvonne Gonzales Rogers
United States District Courthouse
Courtroom 1 Fourth Floor
1301 Clay Street
Oakland, CA 94612

Re: *In re Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*
MDL No. 3047

Application of James R. Marsh for Plaintiffs' Steering Committee

Dear Judge Rogers,

In accordance with the Court's Order Setting Initial Conference in this matter, I respectfully submit my application for appointment to the Plaintiffs' Steering Committee (PSC).

Relevant Work Experience

I dedicated my legal practice to protecting the vulnerable and have been representing children in courts throughout the country for over 30 years. From Manhattan Family Court to the United States Supreme Court, I focused my career on zealously advocating for victims and survivors of childhood sexual abuse with an emphasis on child pornography and online exploitation. The groundbreaking case *Paroline v. United States*, 134 S. Ct. 1710 (2014), was not only a rare case dealing with child pornography but was also the first case in which a victim argued on their own behalf in the United State Supreme Court. It was also pivotal case addressing the federal rights of crime victims and assessing their damages. As detailed in my extensive curriculum vitae, I have forged partnerships and collaborated with a diverse group of constituencies and stakeholders to do what is right for children. I work to achieve meaningful outcomes for victims of child pornography and online exploitation.

When I founded the Children's Law Center in 1996, my goal was to be trauma informed, client driven, and scalable. The Center was created to advocate for the 'whole child' because we discovered an unmet legal need and developed a successful plan to deliver necessary services to low-income clients. We were able to deliver premier legal services to families by forging partnerships with large law firms, judges, and policymakers. Twenty-five years later, the Center

has provided over \$100 million in pro bono services to over 40,000 children in the District of Columbia.

I founded Marsh Law Firm PLLC on the same values, skills, and passion to help children. I expanded this same vision to lead Child USA as board president, was a founding member of Child Redress International, and served on boards and commissions like the Canadian Centre for Child Protection Victims of Sexual Abuse Imagery Working Group, ECPAT International's Access to Justice and Remedies Project, the United States Sentencing Commission's Victims Advisory Group, and Child USA's Game Over Commission to Protect Youth Athletes.

I have written and lectured extensively on the topic of child pornography and online exploitation, authored briefs and motions in dozens of cases in federal courts across the country, and been interviewed in hundreds of media articles and broadcasts.

Most recently, I have led our firm's involvement in three Catholic Church bankruptcies in New York as state court counsel for members of the creditors' committee. Our firm has established and developed longstanding relationships with firms across the country, leading the efforts in New York to pursue justice for thousands of victims of child sexual abuse. After hundreds of hours of meetings, mediations, and court appearances, I am well versed in dealing with significant cases involving vulnerable victims. I have also shepherded our team in multiple aggregate settlements of several hundred million dollars.

Collaborative Efforts

Although I do not specifically have MDL experience, I have the knowledge and ability to litigate complex cases involving Section 230. I intend to be an active contributor to this extremely important litigation as I have been in the movement to hold internet companies liable through FOSTA/SESTA and Masha's Law. I have participated in extensive briefing in matters involving Section 230 currently pending in the 9th Circuit including *Doe v. Twitter, Inc.*, Case No. 21-cv-000485. I am also leading litigation against Omegle.com LLC that is currently pending in the 11th Circuit. Most importantly, I have extensive training in trauma-informed lawyering, earning numerous certificates over the past several years, and a long history of providing high quality child-centered legal services. An essential aspect of this case is protecting the vulnerable population represented in this MDL from the trauma of litigation. I have a long history of fostering cooperation and ensuring transparency with even the most contentious and difficult groups of people.

Our firm believes in partnerships and collaboration even with people with whom we disagree. We take a non-partisan approach in our legislative advocacy and have insisted on and received bipartisan support for the legislation we have drafted. This same principle extends to the partnerships we have forged in co-authoring amicus briefs, creating a state-wide collaboration forum for child sex abuse attorneys, and participating as members of the plaintiff liaison counsel in child sex abuse cases throughout New York State.

What we value the most about our work is the opportunity to work with excellent, thoughtful, and creative attorneys across the country. We work closely with Hillary Nappi at Hach & Rose LLP on multiple cases involving online child exploitation and CDA 230. We also work side by side with Mary Liu at Aylstock, Witkin, Kreis & Overholtz, PLLC on New York Child Victim Act cases. We have forged meaningful relationships which transcend our day-to-day legal work and I fully support both Hillary's and Mary's applications.

Diversity in Leadership

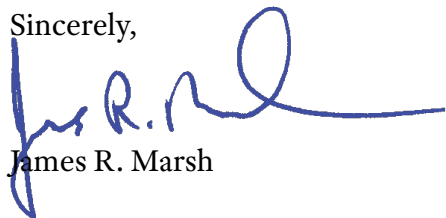
Marsh Law Firm and is entirely dependent on our all-women attorneys and staff who are led by our managing partner Katie M. Shipp. I am the only male employee at our firm and I am genuinely proud that we have a nurturing positive environment for our attorneys and staff. This is especially true considering the challenges of recent years as we opened new offices in the midst of the pandemic. Our law firm represents a largely female clientele, and I am painfully aware of the challenges, biases, and prejudices my clients face. As an adopted foster child, I am fully committed to honoring the struggles faced by vulnerable communities and advancing the cause of justice and fairness.

Although our firm has not led an MDL in the past, our attorneys are experienced in working with child victims and understand how to best represent child and teen victims of online exploitation. We are well-versed in the myriad ways that internet companies fail to implement safety by design. Our team of dedicated professionals is eager to learn and contribute to making the internet a safer place for children.

Everyone at our firm has made a strong commitment to the time and intensity required to advance this case in the right direction. We will use the entire resources of our firm to make our participation a success. I will be assisted first and foremost by Margaret E. Mabie, an attorney at our firm who has worked extensively advocating for victims and survivors of child sexual abuse material. Our senior counsel Jennifer Freeman, who is also eager to assist with this effort, has decades of experience at Sherman and Sterling and her own firm representing corporate clients in complex matters, including MDL matters.

Thank you for your consideration. I look forward to meeting you soon.

Sincerely,



James R. Marsh